



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
OFFICE OF CONTROLLED SUBSTANCES

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING NOTICE:	CONTROLLED SUBSTANCE COMMITTEE
DATE AND TIME:	Wednesday, February 26, 2014 at 9:00 a.m.
PLACE:	Buena Vista Conference Center, Dining Room, First Floor, 661 S. DuPont Highway, New Castle, Delaware 19720
APPROVED:	

MEMBERS PRESENT

Michael Kremer, DMD, Dental Representative, President
Jo Ann M. Baker, MSN, RN, FNP-C, Nursing Representative
Stephen Ruggles, PA-C, PA Representative
Herb E. Von Goerres, R.Ph., Pharmacy Representative
Mark Hanna, Public Representative
Luis Garcia, Jr., DPM, Podiatric Representative, Vice President
David W. Dryden, R.Ph., J.D., Director Office of Controlled Substances

MEMBERS ABSENT

Art Jankowski, VMD, Veterinary Representative
Philip Kim, M.D., Medical Representative
Alex Zarrow, R.Ph., Pharmacy Representative

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

David Mangler, Executive Director
Christine Mast, Administrative Specialist III
Eileen Kelly, Deputy Attorney General

ALSO PRESENT

Donna Farra, DSP-DDU
Marc Richman, DSAMM
Jeanne Chigiorini, ACSCAN
Keith Sokoloff
Don Holst

CALL TO ORDER

Dr. Kremer called the meeting to order at 9:06 am.

REVIEW AND APPROVAL OF MINUTES

A motion was made by Mr. Von Goerres, seconded by Ms. Baker, to approve the minutes from the December 4, 2013 meeting as presented. The motion was unanimously carried.

PRESIDENT'S REPORT

Dr. Kremer had nothing new to report and welcomed the committee to the meeting.

UNFINISHED BUSINESS

Hearing Continuance – Dr. Keith Sokoloff @ 9:30 am – Ms. Kelly DAG called the hearing to order at 9:35 am and provided the committee an outline of the criminal history of Dr. Sokoloff and previous disciplinary actions taken. The committee introduced themselves for the record. Dr. Sokoloff represented himself at the hearing. Dr. Sokoloff provided an opening statement and provided testimony to the committee. The committee went off the record and began deliberations at 9:56 am. The committee went back on the record at 10:06 am to question Dr. Sokoloff in more detail. The committee went off the record at 10:10 am and continued deliberations. Deliberations ended at 10:19 am and the committee went back on the record. The committee would like to have the Maryland DEA confirm that full disclosure was received during their due diligence of Dr. Sokoloff's Maryland DEA application. If the information received from MD is sufficient the committee would consider approval of a restricted registration. A motion was made by Mr. Von Goerres, seconded by Mr. Hanna, to continue the hearing until information the committee will ask for from the DEA of Maryland regarding disclosure of previous crimes. The motion was unanimously carried. The hearing concluded at 10:20 am.

NEW BUSINESS

Proposed Rules and Regulations Changes (EO36) Ms. Kelly asked to add this to the next agenda.

Application Review – Orchard Pharmaceutical Services a motion was made by Mr. Kremer and seconded by Mr. Von Goerres to approve the application.

Application Review – Richard P Jaskewich – the committee reviewed the application and a motion was made by Ms. Baker and seconded by Mr. Von Goerres to Propose to Deny the application.

2014 Meeting Schedule Update - Ms. Mast provided an updated 2014 schedule of meetings.

DIRECTOR'S REPORT

Mr. Dryden again reviewed to the Committee that two new policies have been instituted in the area of case/diversion review for the Office of Controlled Substances. 1) Case reviews with the Investigative Supervisor, Jeff Ford and Mr. Dryden and 2) PMP review for law enforcement PMP report requests. Mr. Dryden further reported an increase in practitioner's not being State registered but still prescribing controlled substances. Mr. Dryden provided information on the Current Drug Abuse Prevention Strategies of the Office of Controlled Substances.

E-prescribing

- Delaware practitioners are actively using the e-prescribing mechanism to transmit prescriptions, including controlled substances, in a more efficient and safe manner.
- Delaware is currently one of the top state users of the e-prescribing method per capita.

Prescription Monitoring Program (PMP) Review

- The Delaware PMP has over 4780 registrants (physicians, pharmacists, chemical dependency and mental health counselors).
- This PMP processed over 6147 requests for patient controlled substance history PMP reports this week.
- We have worked with the National Association of Board of Pharmacy to join an interconnect to share data across state lines with participating jurisdictions. We anticipate data sharing with the state of New Jersey by May 2014.
- We are working with the Delaware Health Information Network (DHIN) to integrate the PMP data which would dramatically increase adoption rates.

- We continue to provide educational sessions for physicians and pharmacists on the value and usage of PMP
- We have seen a tremendous decrease in the number of people obtaining multiple prescriptions and getting them filled at multiple pharmacies. Law enforcement has reported that the PMP is making a huge difference and is aiding in their efforts to fight crime.

Ms. Nettesheim reported that there are still practitioners that have not registered with the PMP and are now out of compliance. She is working with the division on the next steps to be taken for practitioners who have not registered.

Case/Diversion Review

He then discussed the telemedicine issue and his concerns with the potential for drug diversion. A statutory amendment requiring a patient/practitioner relationship for all prescribed/dispensed medication may be needed.

National Disposal

Drug Take Back Programs

- The future holds different and diverse ways for the public to dispose of unneeded medications.

Mr. Dryden reported that the next DEA Drug Disposal is scheduled for April 26, 2014.

Current Event Review

Mr. Dryden provided a handout of current events for the quarter.

COMMITTEE REPORTS

Medical Examiner's Report

No report.

DEA Report

No report.

Substance Abuse Report

Mr. Marc Richman reported that there is a redesign of the residential treatment system that will increase the number of residential detox centers in Delaware. PDAC is pursuing making NARCAN more available through EMS across the state. There is a pilot currently occurring during basic life support using NARCAN across the state.

Law Enforcement Report

No report.

Regulatory Committee Report

Mr. Dryden provided a review of the approved rules and regulations changes that will be published on April 1, 2014 and become effective on April 11, 2014. Ms. JoAnn Baker has been added to the committee.

Legislative Committee Report

Mr. Herb Von Goerres has been added to the committee.

INSPECTION REPORT

Mr. Dryden had no report. He did announce that the Pharmacy Inspector position has been filled by Michelle McCreary and her official date to start is March 24, 2014.

COMMITTEE CORRESPONDENCE

DPHMP – Delaware Professionals' Health Monitoring Program brochure provided.

OTHER BUSINESS BEFORE THE BOARD

Ms. Eileen Kelly, Deputy Attorney General opened discussion for possible rules and regulations changes regarding exceptions for dispensing limitations and PMP reporting which is not required for veterinarians. Also, Methadone clinics being federally exempt from the dispensing limitations and the PMP reporting.

PUBLIC COMMENTS

Mr. Von Goerres expressed discussing the 72 hour dispensing limitation in future meetings.

EXECUTIVE SESSION

No executive session was needed.

NEXT SCHEDULED MEETING

The next regular meeting will be held on Wednesday, April 23, 2014 at 9:00 am at the Buena Vista Conference Center.

ADJOURNMENT

A motion was made by Mr. Ruggles, seconded by Mr. Von Goerres, to adjourn the meeting. The motion unanimously carried. The meeting adjourned at 10:59 am.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mast", with a stylized, cursive script.

Christine Mast
Administrative Specialist III
Office of Controlled Substances